

DATE

To: House Democrats

Fr: Gary Garbarino  
COS - Majority Floor Leader Angerer

Re: germaneness of amendments offered in committee

House Rules require amendments offered on the House floor to be germane.

Rule 60 reads:

"No independent or new proposition or new question shall be introduced under color of an amendment. All amendments must be germane to the main question. When the question of germaneness is raised, the Presiding Officer shall rule on the question."

House Rules do not explicitly apply Rule 60 to amendments offered in committee. However, committees are created and governed by House Rules, and the practice has been to refer to House Rules whenever a situation in a committee is not explicitly addressed in House Rules. (The House Rules that apply specifically to committees are attached.)

The House Rules also cite Mason's Manual of Legislative Procedure ("Mason's") as the authority for situations not covered by the Constitution, House Rules, and Joint Rules of the House and Senate. Under Mason's Sec. 632, if a committee chair rules on a point of order, committee members are not allowed to appeal the ruling. The germaneness of an amendment is considered a point of order (i.e. is the amendment properly before the committee?).

Therefore, under House Rules, a committee chair may rule an amendment as non-germane, and the committee may not consider such an amendment.